IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.45267 of 2008
SRI ONKAR SHARAN PRASAD, S/o Late Sridhar Prasad,
R/o Village & P.S. – Chakia, Distt. – Jamui (Bihar)
Versus
THE STATE OF BIHAR THROUGH VIGILANCE.
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2. 03.12.2008. Heard.

Advance payment is required to be made by P.D.S. dealers for obtaining supply of food grain from Bihar State Food Corporation. In the first information report it has been alleged that while the P.D.S. dealers were making lesser advance payment, by manipulation in the Accounts, it used to be shown that the quantum of such advance is larger in order to facilitate supply of larger quantity of food grain to the P.D.S. dealers.

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According to the petitioner, who was an Assistant Accounts Officers of the Bihar State Food Corporation, he was the authorized signatory of supply orders. According to his contention, issuance of supply orders had been authenticated by him in respect of the quantity of materials, mentioned therein, proceeding on the basis that the advance in relation thereto had already been received inasmuch as it is his contention that the payments are to be made to a

different Department and to be acknowledged by the said Department and only information in relation thereto is supplied to the Department from where the delivery orders are to be issued.

Taking into account the contentions, as above, the application of the petitioner for grant of anticipatory bail is allowed.

In the event of arrest or surrender of the petitioner within six weeks from today, let the petitioner, namely, Sri Onkar Sharan Prasad be released on bail on his furnishing bond in the sum of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance-I, Patna in connection with Vigilance P.S. Case No. 39/2008, subject to the undertaking of the petitioner, as above, and the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

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(Barin Ghosh, J.)

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